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COORDINATION QUESTIONS: JOINT AND CO-SPONSORED UNITED NATIONS PROGRAMME ON HUMAN IMMUNODEFICIENCY VIRUS/ ACQUIRED IMMUNODEFICIENCY SYNDROME

Note by the Secretary-General

The Secretary-General has the honour to transmit to the Economic and Social Council the report of the Executive Director of the United Nations Joint and Co-sponsored Programme on Human Immunodeficiency Virus/Acquired Immunodeficiency Syndrome, prepared pursuant to Council resolution 1995/2 of 3 July 1995, which is contained in the annex.

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Annex

REPORT OF THE EXECUTIVE DIRECTOR OF THE JOINT AND CO-SPONSORED UNITED NATIONS PROGRAMME ON HUMAN IMMUNODEFICIENCY VIRUS/ ACQUIRED IMMUNODEFICIENCY SYNDROME

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INTRODUCTION

1. The present report is submitted pursuant to Economic and Social Council resolution 1994/24 of 26 July 1994, in which the Council called for the full implementation of the Joint and Co-sponsored United Nations Programme on Human Immunodeficiency Virus/Acquired Immunodeficiency Syndrome by January 1996, and requested that a report confirming its implementation be submitted to the Council at its organizational session for 1996. In addition, in its resolution 1995/2 of 3 July 1995, the Council requested the Executive Director of the Programme to report to the Council early in 1996 on the status of implementation of the new Programme, through its Programme Coordinating Board.

2. At its organizational session for 1996, the Council decided by decision 1996/211 of 7 February 1996 to postpone to its substantive session of 1996 consideration of the present report, at the request of the Executive Director of the Programme (see E/1996/11).

3. The present report describes major recent developments in the activities of the Programme, which became fully operational on 1 January 1996.

I. PROGRAMME COORDINATING BOARD

4. By resolution 1994/24, the Economic and Social Council requested its President to organize, in cooperation with the Committee of Co-sponsoring Organizations, informal open-ended consultations to decide on the specific composition of the Programme Coordinating Board of the Programme. By decision 1995/223 of 5 May 1995, the Council decided that the Board should comprise 22 members, with the following distribution of seats: five seats for African States, five seats for Asian States (including Japan), two seats for Eastern European States, three seats for Latin American and Caribbean States, and seven seats for Western European and other States. The first elections for the seats and the drawing of lots in order to provide for a staggering of the terms of office of Board members were conducted by the Council on 1 June and 13 July 1995.

5. At the first meeting of the Board (Geneva, 13 and 14 July 1995), which was attended by members as well as by the six co-sponsoring organizations and five non-governmental organizations, as decided by the Council, the Board reviewed indicative budgetary proposals for the 1996-1997 biennium and requested that an overall budget be developed within an indicative range of US$ 120-140 million for the first biennium. The Board also authorized the Executive Director of the Programme to proceed immediately with the recruitment of staff, as necessary, and adopted the modus operandi for its operations.

6. At its second meeting (Geneva, 13-15 November 1995), the Board adopted the strategic plan for the Programme for 1996-2000, and further requested that the plan be reissued to incorporate the suggestions made during the discussions (it was completed in December 1995). The Board also approved the proposed programme budget of the Programme for the 1996-1997 biennium in the amount of US$ 120 million. The mode of operations for the Programme at the country level

was also endorsed by the Board at that meeting, on the understanding that some of the operational issues would be further refined. In addition, the Board decided to establish two informal working groups, one to discuss innovative methods of resource mobilization, the other to work on indicators and evaluation. Finally, the Board noted with satisfaction the progress achieved by the co-sponsors in preparing with the Programme a joint plan of their global-level activities on HIV/AIDS for the period 1996-1997.

7. At its third meeting (to be held in Geneva, 10 and 11 June 1996), the Board will discuss, inter alia, the Programme work plan for 1996-1997, measures to minimize administrative costs, financial information and the reports of its two above-mentioned working groups. It will also review the present report.

II. COMMITTEE OF CO-SPONSORING ORGANIZATIONS

8. Pursuant to Council resolution 1994/24, the Committee of Co-sponsoring Organizations was formally constituted in September 1994, comprising the heads of the co-sponsoring organizations or their designated representatives. The Committee met for the first time on 22 September 1995, and has since convened six more meetings, the most recent on 24 April 1996. The office of Committee Chairperson is rotating among the six co-sponsors, and has to date been assumed successively by WHO, UNDP and UNICEF. At the above-mentioned meetings and through several other working-level contacts, a memorandum of understanding was drafted and approved (see para. 10 below), and other key documents were reviewed, such as the strategic plan of the Programme for 1996-2000 and the proposed programme budget of the Programme for the 1996-1997 biennium.

9. At the fourth Committee meeting, in June 1995, the executive heads of the six co-sponsoring organizations agreed to send a letter to all country representatives of the co-sponsors through the United Nations resident coordinators, describing the purpose of the Programme and seeking support in facilitating its work at the country level; the signed letter was dispatched in August 1995.

III. LEGAL AND ADMINISTRATIVE ARRANGEMENTS

A. Memorandum of understanding on the Programme

10. By resolution 1995/2, the Economic and Social Council called upon the co-sponsoring organizations to finalize and sign as soon as possible a memorandum of understanding on the Programme, and to submit such a memorandum to the Council, through the Programme Coordinating Board at its first substantive session, for consideration at a resumed session. At the sixth meeting of the Committee of Co-sponsoring Organizations in October 1995, the six co-sponsors reached agreement on the final text of the memorandum, which was submitted to the Board at its second meeting in November 1995 and was subsequently signed by the executive heads of the six co-sponsoring organizations. The final text of the memorandum is contained in the appendix.

B. Administrative arrangements with the World Health Organization

11. The letter of agreement between WHO and the Programme for the provision of administrative and financial services was signed at the end of 1995 by WHO and the Executive Director of the Programme. The different matters to be covered under the agreement, such as personnel management, financial accounting and general administration, will be reviewed in June 1996. In the interim, in February 1996 WHO reduced the charge for accommodation and building services by over US$ 1 million (or by almost 50 per cent).

C. Administrative arrangements with the United Nations Development Programme

12. In April 1996, UNDP and the Programme signed a working arrangement covering the provision of administrative support services by UNDP for the country-level activities of the Programme, including the disbursements of funds for national HIV/AIDS activities. UNDP, as part of its support to United Nations operational activities, will provide such financial, administrative and logistical support through its country offices and headquarters units.

IV. THE PROGRAMME AT THE COUNTRY LEVEL

13. As of mid-April 1996, 90 theme groups covering 107 countries had reported to be formally established, compared with 35 at the end of 1995. In general, where present in a given country all six co-sponsors are members, and other United Nations system organizations active in HIV/AIDS activities, such as the Food and Agriculture Organization of the United Nations, the International Labour Organization, the United Nations International Drug Control Programme, the Office of the United Nations High Commissioner for Refugees, the United Nations Development Fund for Women and the World Food Programme, are also members of some of the theme groups. National Governments are represented in the great majority of theme groups, either as full members or as observers. Some 78 per cent of existing theme groups are chaired by WHO representatives and some 16 per cent by UNDP resident representatives. UNICEF and UNFPA hold the Chair or the interim Chair in five countries, while none of the theme groups are currently chaired by either UNESCO or the World Bank. In approximately half of the theme groups, the office of Chairperson will be filled on a rotating basis.

14. Candidates for country programme adviser positions are first selected into a pool by the Advisory Selection Committee of the Programme. Professional staff and advisers are being placed in specific countries after discussions with the theme groups. In mid-April 1996, advisers had been selected for 19 countries (7 in Africa and the Middle East and 10 in Asia and the Pacific, with 2 intercountry technical advisers in Europe), with 13 of them already in position. It is anticipated that by the end of June 1996, 30 to 32 country programme advisers will have been appointed. In countries where there will be no Programme-funded advisers, the nomination of focal points to be supported in their role by the Programme is encouraged. Such focal points existed as of mid-April 1996 in six countries: five are UNDP-funded national programme

officers in HIV/AIDS and one is an international United Nations Volunteer specialist. In January and February 1996, 23 selected advisers were brought to Geneva for a three-week training course.

15. A series of country visits to over 50 countries, to take place over a six-month period, was started in the first quarter of 1996 with the aim of working with theme groups to clarify their action plans for supporting national efforts, administrative arrangements, staffing issues and the work of advisers and Programme focal points. Such visits are conducted in collaboration with co-sponsors' staff and the representatives of bilateral agencies and national programmes. In addition, several subregional meetings (e.g., in Vienna and the Maghreb) with representatives of national programmes, non-governmental organizations and United Nations partners are also planned so as to develop methods of working in subregions in which United Nations presence or strategic issues of common concern are limited.

16. In April 1996, agreements between the Programme and all WHO regional offices were finalized and ready to be signed. Such collaborative agreements cover technical support to be provided in the first biennium on behalf of and in conjunction with the Programme and its other co-sponsors. In addition, a working arrangement was signed by UNDP and the Programme in April 1996 for the provision of administrative support services to UNAIDS country-level activities (see para. 12 above).

V. STAFFING

17. The number of approved posts in the biennial programme budget of the Programme is as follows: 53 Professional and 37 General Service staff in Geneva and New York, and 45 country programme advisers and 29 intercountry technical advisers. Two staff selection committees were established (the committee for Professional posts comprising representatives of the six co-sponsors) to recommend candidates for appointment to the Executive Director of the Programme. As of mid-April 1996, 34 Professional and 32 General Service fixed-term staff are in position in Geneva; 19 country programme advisers have been selected, with 13 already in position; and 1 intercountry technical adviser is in position. It should be noted that a number of staff members (six as of mid-April 1996) have been seconded to the Programme from either Governments or co-sponsors.

Appendix

MEMORANDUM OF UNDERSTANDING ON THE JOINT AND CO-SPONSORED UNITED NATIONS PROGRAMME ON HUMAN IMMUNODEFICIENCY VIRUS/ ACQUIRED IMMUNODEFICIENCY SYNDROME

Preamble

WHEREAS the world-wide epidemic of acquired immunodeficiency syndrome (AIDS) - a syndrome caused by the human immunodeficiency virus (HIV) - is one of the major tragedies of our time that poses a threat of great magnitude to mankind and requires a multidimensional response at the global and country levels,

WHEREAS the United Nations Children's Fund (UNICEF), the United Nations Development Programme (UNDP) and the United Nations Population Fund (UNFPA) - acting within their respective mandates from the General Assembly and the Economic and Social Council - together with the United Nations Educational, Scientific and Cultural Organization (UNESCO), the World Health Organization (WHO) and the World Bank, wish to undertake the Joint and Co-sponsored United Nations Programme on Human Immunodeficiency Virus and Acquired Immunodeficiency Syndrome to replace all prior arrangements between them, bilateral or otherwise, concerning HIV infection and AIDS,

WHEREAS the governing bodies of each of the above-mentioned organizations and the Economic and Social Council, in its resolutions 1994/24 and 1995/2, have endorsed the establishment of the Programme,

The above-mentioned organizations, collectively referred to as the Co-sponsoring Organizations, have agreed on the structure and operation of the Programme, as set forth below.

1. Establishment of the Joint and Co-sponsored United Nations Programme on Human Immunodeficiency Virus and Acquired Immunodeficiency Syndrome

1.1. There is hereby established the Joint and Co-sponsored United Nations Programme on Human Immunodeficiency Virus and Acquired Immunodeficiency Syndrome to further mobilize the global response to the HIV/AIDS epidemic and provide a means of ensuring coordinated action.

1.2. The Programme is part of a much broader United Nations system response to HIV/AIDS, which also includes:

(a) The mainstreaming/integration activities of the Co-sponsoring Organizations;

(b) The resident coordinator system, with its United Nations theme groups on HIV/AIDS, or any alternate arrangements established at the country level;

(c) The respective activities undertaken by the Co-sponsoring Organizations at the country level in support of national programmes;

(d) The respective intercountry/regional activities of the Co-sponsoring Organizations, within the context of the global work plan of the Programme;

(e) HIV/AIDS activities undertaken by other United Nations system organizations in such areas as providing humanitarian aid, providing assistance to refugees, peace-keeping and safeguarding human rights;

(f) Activities undertaken by other United Nations system organizations in cooperation with bilateral aid agencies.

2. Objectives

2.1. The objectives of the Programme are to:

(a) Provide global leadership in response to the HIV/AIDS epidemic;

(b) Achieve and promote global consensus on policy and programmatic approaches;

(c) Strengthen the capacity of the United Nations system to monitor trends, and ensure that appropriate as well as effective policies and strategies are implemented at the country level;

(d) Strengthen the capacity of national Governments to develop comprehensive national strategies, and implement effective HIV/AIDS activities at the country level;

(e) Promote broad-based political and social mobilization to prevent and respond to HIV/AIDS within countries, ensuring that national responses involve a wide range of sectors and institutions, including non-governmental organizations;

(f) Advocate greater political commitment in responding to the HIV/AIDS epidemic at the global and country levels, including by mobilizing and allocating adequate resources for HIV/AIDS-related activities.

3. Co-sponsorship

3.1. The Co-sponsoring Organizations are committed to working together and contributing to the Programme. The Programme will draw on the experience and strengths of the Co-sponsoring Organizations to develop its HIV/AIDS-related policies, strategies and technical guidelines, which will be incorporated by each of them into their policy and strategy mainstreams, subject to their governance processes, and will be reflected by them in the activities specific to their own mandates.

3.2. The activities of the Co-sponsoring Organizations relating primarily to HIV/AIDS at the global level shall operate within the context of the global work plan of the Programme, developed in collaboration with the Co-sponsoring Organizations. HIV/AIDS activities of the Co-sponsoring Organizations at the country level shall function within the framework of national plans and priorities and the resident coordinator system, where it exists.

4. Structure and organization of the Programme

4.1. At the global level, the Programme consists of the Programme Coordinating Board, the Committee of Co-sponsoring Organizations and the secretariat.

4.2. At the country level, the Programme will operate through a United Nations theme group on HIV/AIDS, and will have secretariat staff in selected countries.

5. Programme Coordinating Board

5.1. The Programme Coordinating Board shall act as the governing body on all programmatic issues concerning policy, strategy, finance, and monitoring and evaluation of the Programme. The composition and functions of the Board shall be determined by the Council as well as by the appropriate governing bodies of the Co-sponsoring Organizations.

6. Committee of Co-sponsoring Organizations

6.1. The Committee of Co-sponsoring Organizations shall serve as the forum in which the Co-sponsoring Organizations may meet on a regular basis to consider matters concerning the Programme, and shall provide the input of the Co-sponsoring Organizations into the policies and strategies of the Programme.

6.2. The Committee shall comprise the executive head, or his/her designated representative, of each of the Co-sponsoring Organizations. Members of the Committee may be accompanied by a limited number of advisers.

6.3. The Committee shall have the following functions:

(a) To review work plans and the proposed programme budget for each successive financial period, which will be prepared by the Executive Director and reviewed by any appropriate committee established for the purpose in time for presentation to the Board;

(b) To review proposals to the Board for the financing of the Programme for successive financial periods;

(c) To review technical reports as well as financial statements of the Programme and audited financial reports that are submitted by the Executive Director, and to transmit such reports with comments, as appropriate, to the Board;

(d) To make recommendations to the Board on matters relating to the Programme;

(e) To review the activities of each Co-sponsoring Organization in terms of consistency and coordination with as well as appropriate support for the activities and strategies of the Programme;

(f) To report to the Board on the efforts of the Co-sponsoring Organizations to bring Programme policy as well as strategic and technical guidance into the policies and strategies of their respective organizations, and to reflect them in activities specific to their mandates;

(g) To decide, on behalf of the Board, on issues referred to it for that purpose by the Board.

6.4. The Committee may establish such advisory committees as it deems necessary for the accomplishment of its work.

7. Programme secretariat

7.1. The Executive Director shall head the Programme secretariat. The Executive Director shall be appointed by the Secretary-General of the United Nations, upon the consensus recommendation of the Co-sponsoring Organizations. The appointment shall be implemented by the agency providing administration of the Programme. The Executive Director shall be responsible for the overall management of the Programme. The Executive Director may establish such policy and technical advisory committees as may be required.

7.2. The Executive Director shall prepare a biennial work plan and budget for the Programme, which shall be submitted to the Board for approval, following review by the Committee.

7.3. The Executive Director shall report to the Board, after consultation with the Committee, on all major programme, budget and operational issues.

7.4. The Executive Director shall be Secretary of both the Board and the Committee.

8. Global level

8.1. At the global level, the Programme will provide support in policy formulation, strategic planning, technical guidance, research and development, advocacy and external relations. Working closely with the appropriate organizations, the Programme will also support normative activities relating to HIV/AIDS in such areas as social and economic planning, population, culture, education, health, community development and social mobilization, sexual and reproductive health, and women and adolescents.

9. Country level

9.1. It is recognized that national Governments have the ultimate responsibility for the coordination of HIV/AIDS issues at the country level. To that end, the arrangements of the Programme for coordinating HIV/AIDS activities will complement and support government efforts for national development planning. The Co-sponsoring Organizations shall incorporate the normative work undertaken by the Programme at the global level on policy, strategy and technical matters into their HIV/AIDS activities and related activities undertaken at the country level, consistent with the national plans and priorities of the countries concerned. An important function of the Programme will be to strengthen national capacities to plan, coordinate, implement and monitor the overall response to HIV/AIDS. The participation in the Programme of six organizations of the United Nations system will ensure the provision of technical and financial assistance to national activities in a coordinated and multisectoral manner, which will strengthen the intersectoral coordination of HIV/AIDS activities and will facilitate the further incorporation of such activities in national programme and planning processes.

9.2. Within the framework of General Assembly resolutions 44/211 and 47/199, the resident coordinator shall establish a United Nations theme group on HIV/AIDS in countries for carrying out HIV/AIDS activities and related activities, and shall designate a chairperson from among the members of the theme group, bearing in mind the desirability of making a selection reflecting the consensus views of the Co-sponsoring Organizations present in the country concerned. In countries in which the resident coordinator system does not operate or where only one of the Co-sponsoring Organizations is represented, alternate arrangements shall be made, in agreement with national authorities, to facilitate support for the national response to HIV/AIDS.

9.3. The Programme will facilitate coordination among the Co-sponsoring Organizations at the country level, and may decide to station staff of its secretariat in selected countries to support the chairperson of the United Nations theme group on HIV/AIDS.

10. Flow of Programme funds

10.1. Funds for Programme activities at the global level will be obtained through appropriate common global means, including a global appeal.

10.2. Funding for country-level HIV/AIDS-related activities will be obtained primarily through existing fund-raising mechanisms of the Co-sponsoring Organizations.

11. Administration of the Programme

11.1. WHO shall provide administration of the Programme. It shall establish a separate trust fund, to be known as the Joint and Co-sponsored Programme on HIV/AIDS Trust Fund, under its financial regulations and rules, for the receipt and disbursement of financial contributions to the Programme.

11.2. Financial contributions to the Programme Trust Fund may consist of voluntary cash contributions received from Co-sponsoring Organizations, Governments of member States of any of the Co-sponsoring Organizations, and intergovernmental and non-governmental organizations, as well as commercial enterprises and individuals. In addition, WHO may also receive, in trust for the Programme, contributions in kind, such as staff, equipment, facilities or services. The resources of the Programme shall consist of the aforesaid cash and in-kind contributions.

11.3. All expenditures of the Programme shall be authorized by the Executive Director against funds received or committed, in accordance with WHO financial regulations and rules.

11.4. The Executive Director shall be responsible for the selection, supervision, promotion and termination of all secretariat staff, acting within the staff regulations and rules of WHO, which will be adjusted, as necessary, to take into account the special needs of the Programme. The appointment, promotion and termination of secretariat staff shall be implemented by WHO.

11.5. All secretariat staff shall be recruited for service with the Programme only. WHO shall be responsible for administrative matters concerning their employment.

11.6. Subject to the possible need to make special arrangements to take into account its particular operational needs, the operation of the Programme shall be carried out in accordance with the administrative and financial regulations, rules and procedures of WHO. WHO shall, in agreement with the Executive Director, elaborate such further details of the administration of the Programme as are necessary for its proper functioning.

11.7. WHO shall be entitled to apply a charge covering its costs in providing the administration of the Programme.

12. Final provision

12.1. The present Memorandum of Understanding shall enter into force upon signature of the executive heads of all six Co-sponsoring Organizations listed in the preamble.

12.2. After the first anniversary of the entry into force of the present Memorandum and with the unanimous agreement of the existing Co-sponsoring Organizations, other United Nations system organizations may become Co-sponsoring Organizations by signature of the Memorandum.

12.3. At the time of the second anniversary of the entry into force of the present Memorandum, the Co-sponsoring Organizations agree to review the Memorandum in order to determine whether it should be amended to further improve the operation of the Programme. Amendments to the Memorandum shall be made by agreement among the Co-sponsoring Organizations.

12.4. The Co-sponsoring Organizations assume no liability for the acts or omissions of the Executive Director or his/her staff.

(Signed) Carol BELLAMY
Executive Director
United Nations Children's Fund

(Signed) Nafis SADIK
Executive Director
United Nations Population Fund

(Signed) Hiroshi NAKAJIMA
Director-General
World Health Organization

(Signed) James Gustave SPETH
Administrator
United Nations Development Programme

(Signed) Federico MAYOR
Director-General
United Nations Educational, Scientific and Cultural Organization

(Signed) James D. WOLFENSOHN
President
World Bank

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OPERATIONAL ACTIVITIES OF THE UNITED NATIONS FOR INTERNATIONAL DEVELOPMENT COOPERATION

Note by the Secretary-General

The Secretary-General has the honour to inform the members of the Economic and Social Council that the report of the Joint Inspection Unit entitled "United Nations system common premises and services in the field" (A/49/629) is made available to the Council for its consideration. The comments of the Administrative Committee on Coordination (A/51/124-E/1996/44) should be read in connection with the report.

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Substantive session of 1996
Item 4 of the provisional agenda**
OPERATIONAL ACTIVITIES OF THE UNITED NATIONS FOR INTERNATIONAL DEVELOPMENT COOPERATION

United Nations system common premises and services in the field

Note by the Secretary-General

The Secretary-General has the honour to transmit to the members of the General Assembly and the Economic and Social Council the comments of the Administrative Committee on Coordination on the report of the Joint Inspection Unit entitled "United Nations system common premises and services in the field" (A/49/629, see also E/1996/43).

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** E/1996/100, to be issued.

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ANNEX

Comments of the Administrative Committee on Coordination

I. BACKGROUND

1. The subject of common premises and services in the field was addressed by the General Assembly on a number of occasions, notably in its resolutions 44/211 of 22 December 1989, 46/219 of 20 December 1991, 47/199 of 22 December 1992 and 48/209 of 21 December 1993. Most recently, in preparation for the 1995 triennial comprehensive policy review of operational activities for development of the United Nations system, the Secretary-General recommended:

> "Building on previous resolutions the General Assembly might recommend that United Nations system organizations should normally be housed in common premises at the country level, wherever economically feasible. It might further recommend that every effort should be made to institute shared services in the field". (A/50/202, para. 105)

2. In its resolution 50/120 of 20 December 1995, the General Assembly requested the Joint Consultative Group on Policies (JCGP) and, to the maximum extent possible, the specialized agencies, to raise substantially the target for achieving common premises on the basis of cost-benefit analysis and avoiding an increased burden on host countries. The Secretary-General will report in the first instance to the Economic and Social Council at its 1996 substantive session on steps being taken to implement the request.

II. GENERAL COMMENTS

3. The report of the Joint Inspection Unit (JIU) entitled "United Nations system common premises and services in the field" (A/49/629) deals with an important subject that has been kept under continuous review within the United Nations system, its member organizations, their governing bodies as well as inter-agency mechanisms including the Consultative Committee on Programme and Operational Questions (CCPOQ) of the Administrative Committee on Coordination (ACC) and JCGP. The Secretary-General has reported progress on this issue to the Economic and Social Council and the General Assembly in conjunction with annual reports on the operational activities for development within the United Nations system. Moreover, as noted above, the Assembly has considered this subject on various occasions and has provided guidelines to the United Nations system. A common element in the decisions of the General Assembly is to ensure that action in this area would be carried out at no additional cost to host Governments or United Nations organizations. a/ As a result, JCGP has focused over the past few years on the establishment of common premises in countries where the cost of premises was considered to be high, and where new premises would result in lower monthly charges and would facilitate the consolidation of administrative infrastructures.

4. ACC has taken a consistent policy to support, whenever possible, common premises to be shared among United Nations system agencies and programmes. Some

agencies (the Food and Agriculture Organization of the United Nations (FAO) and the World Health Organization (WHO)) therefore, take exception to the statement contained in paragraph 15 of the JIU report, which is, in their opinion, misleading and factually incorrect. The list of cases of "shared" premises and conversely of "separate" premises, reported in the annex to the JIU report, does not permit a judgement that FAO's presumed "stand" on the issue is any more or less "principled" than that of other agencies and United Nations programmes.

5. ACC agrees that in many cases there should be potential financial benefits from the sharing of common services and common premises but cautions against undue reliance on the cost/benefit analyses shown in tables 4 and 5 of the report. These tables containing data on comparative costs of renting compared with construction, which do not take into account the depreciation of capital assets and appear to be based on assumptions that do not reflect the current financial environment, in particular with regard to projected inflation rates, construction costs, costs of capital, etc. Moreover, the tables do not take into account the provision of rent-free premises or cash contributions to cover rental costs available to organizations at many locations.

6. Concern must also be expressed about entering into long-term financial commitments at a time when the financial situation of many organizations is precarious and there is considerable uncertainty as to the levels of income and of programme activities in the future. More information is needed, therefore, as to the experience so far with arranging financial participation by the private sector, the legal modalities used for such participation and the legislative basis in each participating organization enabling it to enter into long-term commitments that might be viewed as long-term borrowing. The common premises programme should proceed on the basis of rigorous financial analysis on a case-by-case basis, taking into account the experience in recent years of the participants in the JCGP common premises programme. Future construction programmes should be undertaken based on written agreements between the participating organizations. Such agreements should contain clear provisions as to the apportionment amongst the participants of construction cost variance and should provide for the cases of individual organizations needing more or less space over time as programme activities change.

7. Paragraph 76 of the JIU report claims that different financial rules and procedures amongst the organizations have been found to be a major obstacle to the central provision of support services. ACC considers that there is much more convergence than divergence and that different rules and procedures have not prevented active collaboration by organizations in a number of duty stations.

8. Some ACC members have stressed that the report has been overly influenced by the particular experience of the United Nations programmes and agencies forming JCGP and it, therefore, does not take into account the office requirements for differing roles of the field offices of the organizations and programmes represented by the JCGP members and those of the specialized agencies, which in most instances need to serve both the "operational" and the "normative" sides of their total activities.

9. While WHO fully supports the concept of common premises at the field level, it has pointed out that its technical cooperation and support functions at the country level frequently require the WHO representative to be located in or near the Ministry of Health. Consequently, WHO continues to feel that each situation should be examined in its local context so as to ensure that the interests of both the host Government and the agency are adequately met when deciding upon the location of the local representation.

10. Another problem highlighted by organizations of the system is that, in several places, the report seems to equate the pursuit of decentralization policies or the harmonization of administrative procedures to the extent desirable or feasible, with the question of common premises.

11. ACC members note that the report covers both "common premises and services", and with regard to the latter introduces a useful distinction between programme-oriented services and staff services. In fact, it could have usefully expanded its analysis of practical formulas in respect of the latter.

12. In the light of the above general comments, ACC reaffirms the basic policy position as reflected in paragraph 14 of the JIU report, and which has previously been communicated to Member States by the Secretary-General as part of the reports mentioned earlier.

III. COMMENTS AND RECOMMENDATIONS

Recommendation 1 - Legislative authority for the specialized agencies

> "The relevant provisions of General Assembly resolutions relating to common premises and services in the field should be further submitted by the specialized agencies to their respective governing bodies, which should provide more precise legislative authority to their secretariats on the subject of this report in fulfilment of their treaty obligations under the relationship agreements they have concluded and ratified with the United Nations."

13. ACC members stressed that the relevant General Assembly resolutions were regularly drawn to the attention of their governing bodies.

14. ACC considers that it has sufficient legislative authority, within the provisions of the relationship agreement with the United Nations referred to in the report, to participate, in so far as practicable, in any programme for common premises or services in the United Nations system. While there may be problems of a practical nature, there would seem to be no potential legal obstacles to such participation, unless they were of a constitutional nature, linked for example, to tripartite structure of the International Labour Organization (ILO), which would, in any case, be beyond the authority of the legislative bodies to modify.

Recommendation 2 - Standard representation agreement

"In his capacity as Chairman of ACC, the United Nations Secretary-General should initiate consultations with appropriate parties with a view to achieving, to the extent possible, a new standard representation agreement for all United Nations system field representations. The agreement should inter alia:

"(a) Translate into concrete operational terms at the country level the relevant articles of the relationship agreements between the United Nations and the specialized agencies pertaining to maximum achievement of common facilities and services, and the avoidance of competition for and duplication of resources amongst the parties;

"(b) Reflect more comprehensively General Assembly resolutions on field common premises and services as well as other policy directives relating to operational activities for development, with emphasis on maximum integration of these activities and the coordinating authority and role of the Resident Coordinator;

"(c) Contain an explicit clause enabling United Nations system organization to provide, when and if necessary, essential services to their field staff without restriction or prohibition;

"(d) Take into account the need to reduce the financial costs of United Nations system field representations to host Governments of low income and least developed countries."

15. Some ACC members stressed that they would be interested in participating in the preparation of a standard representation agreement in so far as it related to standard provisions for a representation agreement with host Governments in the field. Such an agreement should reduce the time spent by Governments and organizations on negotiation and should lead to agreements that were more adapted to the particular situations and needs in the countries concerned and to the agency's specific requirements.

16. Meanwhile, the view was expressed that the adoption of a new standard representation agreement by Member States might prove a very difficult goal to realize, as it would require renegotiating or cancelling agreements reached with various organizations and programmes of the United Nations system. In this connection, it should be reiterated that the field structures of the specialized agencies are not exclusively to support "operational" activities but also to support country participation in their "normative" activities and the provision of technical advisory services to host governments.

Recommendation 3 - Administrative Committee on Coordination

"In view of the significant financial and other benefits to be derived by United Nations system organizations from the development of a world-wide programme of common premises and services, as suggested in this report, the executive heads of ACC should, among other measures:

"(a) Set up an ad hoc task force, assisted by JCGP/CPSP, to work out and refine the legal, financing and other practical modalities for implementing such a programme under a medium or long-term strategy aimed at significant reduction of the overhead expenditures of their field programmes and projects, and improving social services for their staff at hardship duty stations. The task force should report to the executive session of ACC by the autumn of 1995.

"(b) Consider the feasibility of transforming JCGP/CPSP into an ACC sub-committee or Unit charged with responsibility for designing, developing and implementing the programme of common premises and services described in this report. The terms of reference, staffing, financing and management of the Unit should be elaborated by the ad hoc task force recommended under (a) above.

"(c) Provide, in the context of recommendations 1 and 2, explicit instructions to their field representatives to participate fully in discussions and arrangements concerning common premises and services at the country level."

17. ACC continues to take the position that the measures to be taken by ACC should be built on practical discussions amongst all interested agencies in the appropriate forums.

18. ACC agrees that these discussions should include agencies and programmes beyond those represented in JCGP. With regard to the recommendations to set up an ad hoc task force and transform JCGP/CPSP into an ACC subcommittee or unit, ACC is of the view that its existing subsidiary machinery, in particular CCPOQ, which has already been addressing the pertinent issues, should continue to address them in consultation with other bodies as required, such as the Consultative Committee on Administrative Questions. Therefore, the establishment of a new mechanism should be avoided. Moreover, attention is again drawn to the basic difference between the JCGP members and the specialized agencies, which has considerable bearing on their field representation requirements.

19. ACC members shared the position expressed by the Secretary-General in his report on the triennial comprehensive policy review of operational activities for development of the United Nations system, cited in paragraph 1 above.

Notes

a/ The General Assembly in paragraph 42 of resolution 47/199, recognized the cost factor and indicated that common premises and the consolidation of administrative infrastructures should be achieved without increasing the costs for the United Nations system or for developing countries.